

1 Your Name: CRobert B. Stowe and Lyudmila V. Stowe

2 Address: 421 Sandra Way, Santa Rosa, CA 95405

3 Phone Number: 707-544-2115

4 Fax Number:

5 E-mail Address: bobstowe@sonic.net

6 Pro Se Plaintiff

8 United States District Court

9 Northern District of California

10 Robert B. Stowe

12 Lyudmila V. Stowe

13 Plaintiff(s),

14 vs.

15 LSF9 Master Participation Trust

16 Caliber Home Loans

17 Trustee Corps

18 US Bank Trust

19 Defendant(s).

CV16 **436**
Case Number: [leave blank]

COMPLAINT

DEMAND FOR JURY TRIAL

Yes ☒ No ☐

1. Parties in this Complaint

a. **Plaintiff(s).** Write your name, address, and phone number. If there are other plaintiffs, use more pages to include their names, addresses, and phone numbers.

24 Name: Robert B. Stowe Lyudmila V. Stowe

25 Address: 421 Sandra Way 421 Sandra Way

26 Santa Rosa, CA 95405 Santa Rosa, CA 95405

27 Phone number: 707-544-2115 707-544-2115

COMPLAINT

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b. Defendant(s). *Write the full name and address of every defendant. If the defendant is a corporation, write the state where it is incorporated and the state where it has its main place of business. Use more pages if you need to.*

Defendant 1:

Name: LSF9 Master Participation Trust

Address: 7511 Jerez CT, #B
Carlsbad, CA 92009

Defendant 2:

Name: Caliber Home Loans

Address: 13801 Wireless Way
Oklahoma City, OK 73134

Defendant 3:

Name: Trustee Corps

Address: 17100 Gillette Avenue
Irvine, CA 92614

Defendant 4:

Name: US Bank Trust NA

Address: 16745 W. Bernardo Dr., #300
San Diego, CA 92127

2. Jurisdiction

Usually, only two types of cases can be filed in federal court: cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.

☒ My case belongs in federal court under federal question jurisdiction because it is about federal law(s) or right(s).

Which law(s) or right(s) are involved? §1331 title 28 chapter 85, amended December 1, 1980

(I think?)

☐ My case belongs in federal court under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants AND the amount of damages is more than \$75,000.

COMPLAINT

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1 **3. Venue**

2 *This Court can hear cases arising out of Alameda, Contra Costa, Del Norte, Humboldt,*
 3 *Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco,*
 4 *San Mateo, and Sonoma counties. This is the right court to file your lawsuit if 1) All defendants*
 5 *live in California AND at least one of the defendants lives in this district; OR 2) A substantial*
 6 *part of the events you are suing about happened in this district; OR 3) A substantial part of the*
 7 *property that you are suing about is located in this district; OR 4) You are suing the U.S.*
 8 *government or a federal agency or official in their official capacities and you live in this district.*
 9 *Explain why this district court is the proper location to file your lawsuit.*

10 Venue is appropriate in this Court because the Plaintiffs live in Sonoma County, CA.

11 _____

12 _____

13 **4. Intradistrict Assignment**

14 *There are three divisions of this Court: San Francisco/Oakland, San Jose, and Eureka.*
 15 *The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San*
 16 *Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San*
 17 *Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt,*
 18 *Lake, Mendocino counties, only if all parties consent to a magistrate judge. Explain which*
 19 *division your case should be assigned.*

20 This lawsuit should be assigned to [Select one: San Francisco/Oakland, San Jose, OR
 21 *Eureka*] Division of this Court because plaintiffs live in Sonoma County.

22 _____

23 _____

24 **5. Statement of Facts and Claims**

25 *Write a short and simple description of the facts of your case. Include WHERE and*
 26 *WHEN the events happened, WHO was involved, WHAT role each defendant played, and HOW*
 27 *you were harmed. If you know which laws or rights the defendant violated, you can include them,*
 28 *but you do not need to make legal arguments. Put each fact or claim into a separate, numbered*

1 *paragraph, starting with 5a, 5b, and so on. Attach additional sheets of paper as necessary. You*
2 *may attach documents that support your claims to the end of this Complaint as exhibits. Explain*
3 *what each exhibit is, when and how you got it, and how it supports your claims. Attaching a*
4 *document to your Complaint does not necessarily mean that it will be accepted as evidence.*
5 On February 26, 2015 JP Morgan Chase Bank sold a 1st Mortgage Loan, that was in my wife's
6 name, to LSF9 Master Participation Trust and the loan servicing to Caliber Home Loans.
7 Caliber Home Loans put the loan into foreclosure.

8
9 Our home was scheduled for auction July 2, 2015. She submitted a Loss Mitigation package to
10 Caliber Home Loans, during their business hours on July 1, 2015 by email and fax. They
11 received the package and submitted it for review. The auction was called off on July 2, 2015 but
12 Caliber Home Loans set a new auction date for September 24, 2015. This was definite "double
13 tracking".

14
15 On September 11, my wife received another Loss Mitigation package. I was very ill and my
16 (being Russian and with very poor English skills) needed my help. I finally got the package
17 faxed and emailed to Caliber Home Loans, during their business hours on September 23, 2015
18 (as on July 1, 2015).

19
20 Our house was Sold at auction on September 24, 2015. We couldn't believe it! Three days
21 later my wife received a letter from Caliber Home Loans stating that the Loss Mitigation
22 package had to be received by them 15 days prior to the auction date. Note: She didn't receive
23 the package on September 11, 2015 which was already inside of 15 days. It was the same
24 package that I emailed and faxed to them on July 1, 2015 which they accepted. I read every
25 sentence in the package and there was no mention of having to receive the package 15 days
26 prior to auction date.

27
28 We contend that the auction was "wrongful" and should not have occurred.

COMPLAINT

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1 We have documentation supported every thing written in this complaint. I can submit them
2 to the court as "exhibits" in three days.
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6. Demand for Relief

State what you want the Court to do for you. For example, depending on which claims you raise, it may be appropriate to ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount.

We are asking for monetary compensation in the amount of \$15,000.00 because of monies spent on defending ourselves in a Unlawful Detainer action in Superior Court of Sonoma County.

And we are asking the Court to invalidate the auction on September 24, 2015 and place my wife back to the position she was in before September 23, 2015.

As of today January 25, 2015 we are scheduled for a Unlawful Detainer trial very soon and we definitely feel that we should not be in this position because of the Unlawful auction on September 24, 2015.

7. Demand for Jury Trial

Check this box if you want your case to be decided by a jury, instead of a judge.



Plaintiff demands a jury trial on all issues.

All plaintiffs must sign, date, and print their names at the end of the Complaint. Attach another page if you need to.

Respectfully submitted,

Date: 01/25/2016

Sign Name:

Print Name:

COMPLAINT

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Robert B. Stowe and Lyudmila V. Stowe (pro se)

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

LSF9 Master Participation Trust
Caliber Home Loans, Trustee Corps
US Bank Trust

County of Residence of First Listed Defendant San Diego
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 §1331, title 28, chapter 85 amended December 1, 1980
 Brief description of cause:
 for relief and unlawful actions

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only)

☒ SAN FRANCISCO/OAKLAND ☐ SAN JOSE ☐ EUREKA